



## ROBERT LENHARD Of Counsel

Covington & Burling LLP  
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### Practices

- Government Affairs
  - Election & Political Law

### Education

- University of California at Los Angeles School of Law, J.D., 1984
- Johns Hopkins University, B.A., 1981
  - with honors

### Bar Admissions

- District of Columbia

Robert Lenhard is of counsel in the firm's Washington, DC office and a member of the firm's Election & Political Law Practice Group.

Mr. Lenhard served as Chairman of the Federal Election Commission in 2007 and Vice Chairman of the agency in 2006. Mr. Lenhard also led the Presidential Transition Team that reviewed the FEC for the incoming Obama administration in 2008-2009.

Mr. Lenhard provides advice and counsel to major corporations, trade associations, politically active nonprofit groups and candidates in complying with federal and state campaign finance and lobbying disclosure laws and pay-to-play rules, including:

- Conducting internal compliance trainings and audits of federal and state lobbying and political programs;
- Establishing and operating federal and state PACs;
- Providing advice to advocacy groups and their donors on television advertising campaigns in proximity to federal elections; and
- Aiding compliance with congressional gift and travel rules.

During his tenure at the FEC, the agency achieved major accomplishments in rulemaking, enforcement and reforms in agency practices.

The agency handled over 10 major rulemakings, including ones that:

- Defined when issues advocacy groups are regulated by the FEC;
- Addressed the use of the Internet in political campaigns; and
- Laid out permissible and prohibited coordination between candidates and outside groups in political campaigns.

In enforcement and audits, the FEC had the two most productive years in its 32-year history. The agency processed near-record numbers of cases, increased the collection of penalties and reduced case processing time. In addition, the agency completed over 40 audits of political committees. While increasing its efficiency in these areas,

during Mr. Lenhard's leadership the FEC also embarked on several reforms that had a significant impact on parties' interactions with the agency. For instance, the agency adopted a process that allows for expedited resolution and significantly reduced penalties in cases where respondents self-report their violation; created a safe harbor for reporting violations that arise from embezzlement; and introduced pre-probable cause hearings for respondents before the commissioners vote on bringing suit.

Prior to joining the FEC, Mr. Lenhard provided legal advice to organizations active in the political process at the federal, state and local levels. He represented clients in planning and implementing political strategies as well as appearing in matters before the Federal Election Commission and state regulatory agencies. Mr. Lenhard was also involved in litigation in the Florida trial and appellate courts over the counting of absentee ballots in Seminole County, Florida in 2000.

## PREVIOUS EXPERIENCE

- Federal Election Commission, Commissioner
- American Federation of State, County and Municipal Employees, Associate General Counsel

## PUBLICATIONS AND SPEECHES

- Author, Introduction, "America Votes: A Guide to Modern Election Law and Voting Rights," *American Bar Association, Section of State and Local Government Law*, Benjamin E. Griffith, Editor. (2008)
- Mr. Lenhard has testified in Congress before the Senate Indian Affairs Committee, the Honorable John McCain, Chairman on the legal status of political contributions by Indian tribes (February 8, 2006).
- Mr. Lenhard has also made numerous speeches and presentations on campaign finance law, including presentations sponsored by the Public Affairs Council, the Practicing Law Institute, National Association of Business Political Action Committees, the Bureau of National Affairs (BNA), Lobbyist Info, and the California Treasurers Association.
- Mr. Lenhard has spoken frequently on the issues of campaign finance law to international audiences, including presentations at the Global Electoral Organization Conference in 2007, at the Korean Economic Institute, the American University's program for Persian Gulf state officials, and before numerous International visitor forums at the FEC. Mr. Lenhard served as an election observer during the Ecuadorian elections in 2006.

## PUBLICATIONS

- "Political Law Update," *Covington Report* (7/1/2010), Co-Author
- "Legislation Introduced to Address Citizens United," *Covington*

*E-Alert* (5/10/2010), Co-Author

- "Political Law Update," *Covington Report* (3/10/2010), Co-Author
- "Colorado Supreme Court Strikes Down Colorado Pay-To-Play Law," *Covington E-Alert* (2/25/2010), Co-Author
- "Citizens United: What it Means for Trade Associations," *Covington E-Alert* (2/17/2010), Co-Author
- "Called to Serve: The Presidential Appointment Vetting Process," *Covington E-Alert* (2/1/2010), Co-Author
- "Citizens United: Supreme Court Opens the Door for Unlimited Corporate Election Spending," *Covington E-Alert* (1/21/2010), Co-Author
- "New Lobbying Disclosure Act Guidance Issued by Congressional Officials," *Covington E-Alert* (1/11/2010), Co-Author
- "Political Law Update," *Covington Report* (12/9/2009), Co-Author
- "Illinois Legislature Enacts Changes to State Pay-To-Play Statute," *Covington E-Alert* (11/6/2009), Co-Author
- "New York State Comptroller Issues Interim "Pay To Play" Rules," *Covington E-Alert* (9/28/2009), Co-Author
- "Political Law Update," *Covington Report* (9/23/2009), Co-Author
- "Treasury Department Issues New Policy For Communications About TARP Funds," *Covington E-Alert* (9/15/2009), Co-Author
- "The Supreme Court Hears Oral Argument in Citizens United: How Far Will the Door Open on Corporate Political Spending?," *Covington E-Alert* (9/9/2009), Co-Author
- "Political Law Update," *Covington Report* (8/11/2009), Co-Author
- "New Guidance Regarding Recovery Act Lobbying," *Covington E-Alert* (8/3/2009), Co-Author
- "New Massachusetts Ethics and Lobbying Law," *Covington E-Alert* (7/2/2009), Co-Author
- "Political Law Update," *Covington Report* (6/11/2009), Co-Author
- "Political Law Update," *Covington Report* (5/11/2009), Co-Author
- "FEC Releases New Form 1 - Amendments Due by March 29, 2009," *Covington E-Alert* (3/12/2009), Co-Author
- "FEC Finalizes Bundling Disclosure Rules - UPDATE," *Covington E-Alert* (2/17/2009), Co-Author
- "FEC Finalizes Bundling Disclosure Rules," *Covington E-Alert* (2/4/2009), Co-Author
- "The Year Ahead: What Will 2009 Bring in the World of Money and Politics?," *Covington E-Alert* (1/16/2009), Co-Author
- "Contributing to the Presidential Inauguration Committee, the Transition, and Gift Rule Restrictions in Post-Election

Washington," *Covington E-Alert* (11/5/2008), Co-Author

- "Financial Services Lobbying Initiatives Invite Scrutiny And Present Unique Legal Risks," *Covington E-Alert* (9/24/2008), Co-Author
- "The Effect of New Form 990 on Section 527 Political Organizations and Other Tax-exempt Entities," (8/22/2008), Co-Author
- "Revised Guidance for LD-203 Reporting Issued by the Clerk of the House and Secretary of the Senate," *Covington E-Alert* (7/17/2008), Co-Author
- "Clerk of the House and Secretary of the Senate Finally Go Live with HLOGA Semi-Annual Certification," *Covington E-Alert* (7/1/2008), Co-Author
- "The Federal Election Commission is Back in Business," *Covington E-Alert* (6/25/2008), Co-Author